

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In the Patent Application of

Timothy R. Hawes

Serial No.: 10/064,350

Filed: July 3, 2004

For: FENDER ASSEMBLY AND
ADJUSTABLE MOUNTING
BRACKET THEREFOR

Group Art Unit: 3632

Examiner: Frank B. Vanaman

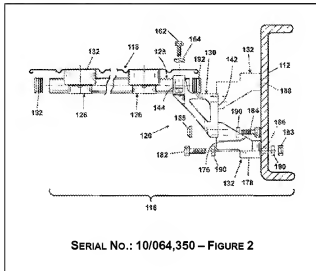
SECOND AMENDED SUPPLEMENTAL APPEAL BRIEF

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Second Amended Supplemental Appeal Brief filed under 37 C.F.R. § 41.37 in support of Appellant's Appeal of the Examiner's Non-Final Rejection of claims 1-7, 9-11, 13-19, 21, 25, and 30-39 in the Office Action mailed April 7, 2005. In this Second Amended Supplemental Appeal Brief, Applicant has amended only Section V to eliminate two reference numerals 82 at the request of Examiner Vanaman during a telephone interview on November 30, 2007. The remainder of the Amended Supplemental Brief is not changed and is not a part of this Brief.

V. SUMMARY OF CLAIMED SUBJECT MATTER



A fender assembly 116 for a wheeled vehicle comprises a fender 118 adapted to overlie at least one of the wheels and having an upper surface and a lower surface. An elongated support arm 128 is mounted to either of the upper or lower surfaces of the fender 118 and has a longitudinal axis. A bracket assembly 121 is mounted to the support arm 128 and has a connector for mounting the bracket assembly 121 to the

vehicle frame for rotation about axis of rotation substantially parallel to and spaced from the longitudinal axis of the elongated support arm 128 to define an offset distance therebetween. The connector includes a length adjustable link 130, 132 to selectively adjust the offset distance between the longitudinal axis of the elongated support arm 128 and the axis of rotation of the bracket assembly 121. *Application as filed, pg. 5, ln. 3-27; pg. 6, ln. 5-9, 36; pg. 7, ln. 1-33; pg. 8, ln. 4-34; pg. 9, ln. 1-6.*

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The fender mounting bracket 121 comprises an elongated support arm 128 that is adapted to be mounted to either of an upper or lower surface of the fender 118 and defines a longitudinal axis. A length-adjustable link connection 130, 132 has a first portion 130 connected to the elongated support arm 128 through a collar 136 and a second portion 132 adapted to be rotatably mounted to the vehicle frame through bolt 182 and nut 183 at a rotational axis spaced from the longitudinal axis of the elongated arm 128, wherein the offset spacing between the arm longitudinal axis of the support arm 128 and the rotational axis of the bolt 182 can be changed by adjusting the length of the link 130, 132 through a bolt 184 and a nut 185. Each of the link elements 130 and 132 have facing serrations that assist in

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locking the link elements in an adjusted position. *Application as filed, pg. 5, ln. 3-27; pg. 6, ln. 5-9, 36; pg. 7, ln. 1-33; pg. 8, ln. 4-34; pg. 9, ln. 1-6*

Respectfully submitted,
TIMOTHY R. HAWES

Dated: December 5, 2007

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